

Regular Session, 2009

HOUSE BILL NO. 858 (Substitute for House Bill No. 547)

BY REPRESENTATIVE PONTI AND SENATOR THOMPSON

1 AN ACT

2 To amend and reenact R.S. 47:6030(A) and (B)(2), relative to individual and corporate
3 income tax; to provide for eligibility for the wind or solar energy systems tax credit;
4 to limit to one the number of tax credits which may be taken with respect to a wind
5 or solar energy system; to require the disclosure of certain information related to the
6 taking of a tax credit under certain circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:6030(A) and (B)(2) are hereby amended and reenacted to read as
9 follows:

10 §6030. Wind or solar energy systems tax credit

11 A. There shall be a credit against the income tax for the cost of purchase and
12 installation of a wind energy system or solar energy system, or both, by a ~~resident~~
13 ~~individual taxpayer~~ at his residence located in this state ~~or~~, by the owner of a
14 residential rental apartment project, or by a taxpayer who purchases and installs such
15 a system in a residence or a residential rental apartment project which is located in
16 Louisiana. The credit may be claimed in cases where the resident individual
17 purchases a newly constructed home with such a system already installed or where
18 such a system is purchased and installed at an existing home, or where such systems
19 are installed in new or existing apartment projects. Only one such tax credit shall be
20 available for any eligible system. Once a tax credit authorized pursuant to this
21 Section is claimed by a taxpayer for a particular system, that same system shall not
22 be eligible for any other tax credit pursuant to this Section. If the residential
23 property or system is sold, the taxpayer who claimed the tax credit shall disclose his
24 use of the tax credit to the purchaser.

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(2) In the case of ~~an individual~~ a taxpayer who purchases and installs such a system in a residence or a residential rental apartment project which is located in Louisiana, the tax credit shall be claimed on the return for the taxable year in which such system is completed and placed in service. In the case of ~~an individual~~ a taxpayer who purchases a newly constructed home or newly constructed residential rental apartment project with such a system, the tax credit shall be claimed on the return for the taxable year in which the act of sale ~~of the house~~ takes place. ~~In the case of an apartment project owner who purchases and installs such systems, the tax credits for owner entities other than individuals shall be claimed in accordance with the provisions of Subsection E of this Section.~~

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Section 2. The provisions of this Act shall be applicable to taxable periods beginning on and after January 1, 2009.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____